The session of the Legislature is too short to admit of legislation of a comprehensive as actions at law in all cases, to safeguard the prehensive nature, requiring careful and prehensive nature, requiring careful and the defendant as well as itsue, and the class of incompetent witness. The test of admission at law in all cases, to safeguard the fulness in settling the question at issue, and the class of incompetent witness.

ture should do, at once places the subject in the prohibited list. But the Legislature can render very material service to those who desire a simpler mode of procedure, without in anywise imposing a burden upon those who are content with the present system. Section as proposed is as follows:

Any person entitled to recover imposed is as follows:

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Any person entitled to recover imposed is as follows:

Any person entitled to recover imposed is as follows:

Any person entitled to recover imposed in a single and to recover imposed in a specific money, damages or a penalty in an accounting the substitute to a concrete case. One of your best citzens, in the sudden heat of blood, etitzens, in the sudden heat of blood

daylt admits that the plaintiff is entitled to recover from the defendant a sum less than that stated in the affiliation of the notice. The defendant is daylt notices are supposed to the the acts of the parties and not of their counsel, and the courts are more liberal in construing them than they are in construing declarations, and it is this liberally of construction that constitutes the chief advantage of the notice. No matter what mode of proce
daylt admits that the plaintiff is entitled to recover from the defendant a sum less than that stated in the affiliation from the defendant a sum less than that stated in the affiliation from the affiliation from the plaintiff for the sum so admitted to be due, and the case be the residue. Any person, and he should not be excluded altogether, but the objection should go to the weight to be called as to the residue. Any person, and he should not be excluded altogether, but the objection on that ground is good, but when called as a witness it is generally on behalf of some innocent third person, and he should not be excluded altogether, but the objection on the special ty, and objection on that ground is good, but when called as a witness it is generally on behalf of some innocent third person, and he should not be excluded altogether, but the objection on the special ty, and objection on that ground is good, but when called as a witness it is generally on behalf of some innocent third person, and he should not be excluded altogether, but the objection on the affiliation of procent third person, and he should not be excluded altogether, but the objection on the affiliation.

Som less than that stated in the affiliation that is generally on behalf of some innocent third person, and he should not be excluded altogether, but the objection should go to the weight to be excluded altogether, but the objection should go to the weight of their counsel, and the case be taken by the plaintiff or the sum sealing them that the plaintiff or the sum sealing them that the private is is this liberality of construction that constitutes the chief advantage of the motice. No matter what mode of procedure is adopted, the plaintiff must set forth sufficient matter of substance to be fairly comprehended by the defends and who is to answer it, the jury which it to try the issue, and the court which is to render judgment. Less than this can never be demanded. If the bar thinks this can be as well, or better, done by a notice than by a declaration, why not try it? We are content with the present procedure and apprehend that laxity in the preparation of notices will lead to hasty amendments at the bar, expressed in inapt language, and will cause the undoing of many plaintiffs on appeal, but that is no reasen why those who entertial n a different view should not be allowed the opportunity to test the practical operation of their theory.

With this end in view, we have prepared such a draft of section 3211 as we believe the Legislature might safely adopt; repealing, of course, in the contrary is made in their efforts to get away from the effect of such statutes, in their efforts to get away from the effect of such statutes, in their efforts to get away from the effect of such statutes, in their efforts to get away from the effect of such statutes, in their effort of such statutes, have held that the perjury which will exclude a witten perjury which will exclude a wit

Nasty Cutarrhal Discharges.

and instantly your clogged nose and

stopped-up air passages of the head will open; you will breathe freely; dullness and headache disappear. By

small bottle, anyway, just to Apply a little in the nostrils

Try "Ely's Cream Balm."

BREATHE FREELY! OPEN NOSTRILS

AND STUFFED HEAD--END CATARRH

much morning! the catarrh, cold-in-head or catarrhal sore throat will be gone.

End such misery now! Get the small bottle of "Ely's Cream Balm" at any drug store. This sweet, fragrant balm will surely disappear.—Advertisement.

extensive investigation and deliberation, and precipitating lengthy debates. These matters must be provided for in some mannor that will allow more time for deliberation. We shall omit, therefore, all such topics from these suggestions, and confine ourselves to those matters that the Legislature can consider.

The first topic that will suggest itself to the minds of many lawyers is that of procedure in actions at law. The number of statutes involved, the difficult is offered. The provision culties of the subject, and the great difference of opinion among lawyers is to what, if anything, the Legislature should do, at once places the subject in the provided for by section as proposed is as follows:

The section as proposed is as follows:

The section and deliberation, and deliberation, and precipitating lengthy debates. These matters in some discontinuant as well as those of the plaintiff, and in certain cases to assimilate the procedure by motion to that by action. The section, as drafted, also defines who is prima facte an agent, and throws upon the adverse party the burden of showing that the Legislature can consider.

The first topic that will suggest itself to the minds of many lawyers is that a person who makes an affidavit is offered. The provision affidavit is offered. The provision and the class of incompetent withnesses should be reduced to a minimum. In other words, if the evidence is relevant to the issue, and the class of incompetent withnesses should be reduced to a minimum. In other words, if the evidence is relevant to the issue, and the class of incompetent withnesses should be reduced to a minimum. In other words, if the evidence is relevant to the issue, and the class of incompetent withnesses should be reduced to a minimum. In other words, if the evidence is relevant to the issue, objection should be to its weight and not to its weight and not to its weight and not of its weight to its weight and not to its weight and in the interior of showing its variety and in the class of incompetent witha

ditions, and now its use is very common in actions on contracts to pay money. But its application is still under section 2900 of the Code as amended by the act of March 28, 1902, they may be recovered on a single action under section 2900 of the Code as amended by the act of March 28, 1902, they may be recovered on a single action, but these have proved only partially successful. Some improvement was made by the last Legislature, but it is susceptible of a much wider application.

If the procedure thereby provided has worked well in its application to contracts for the payment of money, why not at least try it in its application to contracts for the payment of money and if it proves injurious, can be readily repealed. While the action of stating distinctly the sevial distinctive and if it proves injurious, can be readily repealed. While the action of stating distinctive the payment of money of the plaintiff file with such account an action of assumpsit, no pleas in bar or defense to the merits of the case lies for all torts, defendant unless accompanied by such account in the payment of money. Again, if he pays the fine and serves his term, he becomes competent once into under this section.

If the procedure thereby provided has worked well in its application to contracts for the payment of money, why not at least try it in its application to treat least try it in its application to torts? It can do no great harm, and if it proves injurious, can be plaintiff file with such account an action of assumpsit, no pleas in bar or defense to the merits for mentioned section on the part of the payment of more. Again, if he pays the fine and serves hils term, he becomes competent once into the motice, and if the plaintiff file with his notice as a soon as the judgment. In the Again, if he pays the fine and serves into the part of the with such account, in the payment of more. Again, if he pays the fine and serves into the payment of manched by the last Legislature, the plaintiff shall file with his notice as a soon as to

Now take the objection on account of perjury. This does affect credibility, and objection on that ground is good, but when called as a witness it is generally on behalf of some inno-United States or another State, or in the United States courts, but the courts, in their efforts to get away from the effect of such statutes, have held that the perjury which will exclude a witness as incompetent, must have been in the jurisdiction in which the party is offered as a witness. So if a Federal court is stilling on the court in the courts of the court

Section 3345 of the Code abolishes the common law disqualification of interest. The next section states the qualifications of the preceding section in two paragraphs. The first paragraph excludes from the operation of section 3345 husband and wife, and witnesses to deeds and wills, and as to these it is declared that their competency shall be determined by the law in force the day before this Code takes effect, or as at common law. As to effect, or as at common law. As to husband and wife, the law has been entirely changed since the Code was adopted, and the present law is now swollen membrane which lines the nose, head and throat; clears the air passages; stops nasty discharges and a teeling of cleansing, soothing relief comes immediately. found in section 3346-a of the Code (1904). Hence this part of section 3346 should be correspondingly changed. As to the disqualification of husband Don't lay awake to-night struggling for breath, with head stuffed, nostrils closed, hawking and blowing. Catarrh or a cold, with its running nose, foul niucous dropping into the throat, and raw dryness, is distressing but truly needless. also that part of section 3346 relating to witnesses to deeds and wills. As to the second paragraph of sec-

As to the second paragraph of section \$346, relating to the survivors of a transaction, or where the opposing party is insane or infamous, this might well be omitted altogether, and leave that whole matter to go to the weight to be given to the testimony rather than to the competency of the witness, and such is the tendency of modern legislation. This paragraph has given rise to more litigation than has given rise to more litigation than probably all the residue of the chap-ter on evidence. Its elimination would get rid of this flood of litigation, and carry with it the necessary repeal of one or two other sections of the Code.

The sum total of these suggestions of the Code.

The sum total of these suggestions is: Repeal sections 3838, 3348 and 3349 of the Code. Amend action 8346 by inserting, in lieu of paragraphs marked "first" and "second" what now constitute paragraphs 2 and 3 of section 2344, and in section 2742 strike out 3346-a, and in section 3743 strike out the words "or giving evidence as a

Process Against Corporations, Under the present law, it is possible to take a personal judgment against a domestic corporation which is a going oncern, actively engaged in the prosecution of its business, without the corporation, or any of its officers or agents knowing anything about it until after judgment has been rendered and execution issued on it. It is then too late to set up any defense. This, it would seem, ought not to be allowed to so remain, but the statute should be so amended as to provide that amended as to provide that where pro-cess against a corporation, foreign or domestic, is served by order of publication, a copy of the order shall be malled to the corporation at its home office, if known, a reasonable time before the corporation is required to answer, and if not known, it shall be mailed to the State Corporation Com-mission at Richmond, Va., who shall forward the same by mail to such cor-poration at its home address, or de-liver or mail the same to the statutory agent of said corporation, if any

Amending Pleadings.

If a defendant demurs to a declaration or bill and the demurrer is sustained, the plaintiff is obliged to amend or appeal. If he amends he is held to have waived his objection to the ruling on the demurrer. This is a ruling on the demurrer. This is a great hardship. His pleadings may have been perfectly good, and the trial judge may have erred in sustaining the demurrer, but the error is deemed to have been waived and can never be corrected. There should be a general statute declaring that errors committed in sustaining a demurrer shall not be desmed to be waived by amending the pleading demurred to.

Affidavits of Agents.

There seems to have been some mis-understanding as to who is an "agent"

Odds & Ends of Neckwear At

odds and ends of a season's selling. A few are slightly solled or damaged. Formerly sold up to \$1.50.



Odds & Ends of Neckwear At

Over 100 different pieces, in every conceivable style. A few are slightly imperfect. A most exceptional value. Formerly sold up to \$3.00.

Peremptory Clearance Sale

107 East Broad Street

\$35,000 Stock of Coats, Suits, Millinery, Gowns, etc., at Half Price or Less

On January 31 we take our semiannual inventory. Previous to that date it is imperative that we dispose of every piece of Fall and Winter merchandise, and if genuine price reductions will accomplish our purpose, the next week will see an enormous reduction in this stock. As quantities are very limited, early selections will be the best.

	n			
Coat	De	nar	tm	en
		-	PAAA	~

Coat Department		Suit Department		
9 Light weight Serge and Mohairs. \$1 4 Odds and ends of Misses' Coats. 1 1 Persian Cloth, misses' sizes only 1 5 Zibeline Coats, all sizes 2 2 Velour de Laine Coats, all colors 2 1 Handsome Satin-Lined Coats 2 9 Model Coats, all different 3 8 Ural Lamb Coats, black only 3 3 Ural Lamb Coats, fur trimmed 4	alue Price	Value 17 Odds and ends for misses and ladies 30.00 8 Fine Serge Suits, black and navy 30.00 19 Serge and Poplin Suits, black only 35.00 10 Black Serge Suits, in black only 35.00 14 Fancy Suits, all sizes and colors 45.00 15 Handsome Broadcloth Suits, fur trimmed 50.00 1 Mahogany Fur Trimmed Suit 85.00 2 Velvet Suits, brown and wine 65.0 1 Taupe Plush Suit, fur trimmed 85.00 2 Three-piece Velvet and Broadcloth Suits 110.00	Price 12.75 15.00 17.50 17.50 22.50 25.00 35.00 25.00 35.00 50.00	

Gown Department

		Value	Price	
14	Crepe de Chine Dresses.	\$18.75	\$12.50	
4	Misses' Dancing Frocks	30.00	12.75	
17	Evening Dresses	30.00	15.00	
22	Silk Dresses	35.00	17.50	į
20	Afternoon Dresses	35.00	17.50	
5	Evening Dresses	55.00	25.00	
7	Handsome Gowns	65.00	35.00	
	Afternoon Dresses		50.00	
6	Imported Costumes	150.00	75.00	

Neckwear Department

ricentificat Department		over tille	
		Value	Price
12	Maline Ruffs, all shades,	\$1.25	79c
5	Collar and Cuff Sets	2.50	98c
7	Collar and Cuff Sets	3.50	\$1.98
2	Hand Emb. Sets	6.00	3.49
3	Cluny Lace Sets	4.50	2.89
2	Point Venice Lace Sets,	7.50	4.98
5	Hand Emb. Collars	5.00	1.98
11	Assorted Lace Collars	3.98	2.29
25	Lace Collars, assorted	1.50	· 98c
45	Dainty Collars, all styles	1.00	79c
7	yds. Fur Ruchings	-75	39c
18	yds. Fur Ruchings	1.25	59C
52	yds. Ruchings	.25	190
37	yds. Ruchings	-50	39c
47	yds. Ruchings	1.00	6gc

Chanut French Kid Gloves AT LESS THAN COST

Hosiery Department

	ONYX BRAND	mt
	Value.	Price.
5	doz. Silk Lisle Hose \$.25	\$.19
3	doz. Heavy Lisle Hose39	.19
9	doz. Silk Lisle, all shades, .50	-39
5	doz. Boot Silk Hose50	-39
10	doz. Full Silk Hose 1.00	.89
2	doz. Heavy Silk, black 1.50	1.29
1	doz. Heavy Emb. Silk 2.00	1.69
	NIAGARA MAID BRAND	
3	doz Glove Silk Hose 1.50	1.39
2	doz. Glove Silk Hose 1.75	1.39
3	doz. Extra size 2.00	r.69
	KNOTAIR GUARANTEED BRAN	D
5	doz. Silk Lisle25	.19
2	doz. Heavy Weight39	.25
5	doz Full Silk 1.00	.89
IO	bxs. 3 pair to box 1.00	.69
The same		.09

Fur Department

r Hudson Seal Coat ... \$275.00 \$198.00

1 Hudson Seal Coat... 250.00 175.00

1	mary I, and with this end in view we	I Hudson Seal Coat	175.00	125.00
	shall close out our remaining stock	I Hudson Seal Coat	150.00	98.00
	at less than cost.	r Caracul Coat		The second second
	Our regular \$1.00 Gloves at 69c	a Near Carl Cart	85.00	49.00
	Our regular \$1.50 Gloves at 98c	3 Near-Seal Coats	100.00	69.00
	Our regular \$2.00 Gloves at\$1.29	I Ermine Set	125.00	75.00
	Our regular \$2.50 Gloves at\$1.59 Our regular \$3.50 Gloves at\$2.39	I Black Fox Scarf	65.00	45.00
	our regular \$3.50 Gloves at.,\$2.39	I Black Fox Scarf	50.00	35.00
	Hosiowy Donoutes	r Black Fox Scarf	45.00	27.50
	Hosiery Department	I Black Fox Scarf	35.00	20.00
SP.	ONYX BRAND Value, Price,	2 Black Fox Muffs	25.00	15.00
5	doz. Silk Lisle Hose\$.25 \$.19	3. Black Fox Muffs	30.00	
3	doz. Heavy Lisle Hose39 .19	2 Black Fox Muffs		18.50
9	doz. Silk Lisle, all shades, .50 .39	I Mink Set, medium size	45.00	20.00
5	doz. Boot Silk Hose50 .30	r Genuine Piet S	85.00	50.00
10	doz. Full Silk Hose 1.00 .89	r Genuine Fitch Set	125.00	75.00
2	doz. Heavy Silk, black 1.50 1.20	2 Real Fox Sets	50.00	25.00
1	doz. Heavy Emb. Silk 2.00 1.69	r Pointed Fox Set	70.00	40.00
1	NIAGARA MAID BRAND	I Pointed Fox Set	150.00	100.00
3	doz Glove Silk Hose 1.50 1.39	I Pointed Fox Set	165.00	125.00
2	doz. Glove Silk Hose 1.75 1.39	1 Pointed Fox Set	175.00	135.00
3	doz. Extra size 2.00 1.69	3 Black Coney Muffs	6.75	
EGG.	KNOTAIR GUARANTEED BRAND	a Black Coney Muffs		3.98
5	doz. Silk Lisle25 .rg	1 Black Coney Scarf	10.00	6.75
2	doz. Heavy Weight39 .25	7 Black Concy Scarr.	7.50	4.98
TO	doz Full Silk 1.00 .89	I Black Coney Scarf	10.00	6.75
TO	bxs. 3 pair to box 1.00 .69 bxs. 6 pair to box 3.00 1.98	. I White Mufflon Set	30.00	15.00
1 49	bxs. 6 pair to box 3.00 1.98	r Canary Mufflon Set	30.00	15.00
	2 (41) (= 12 (52 (52 (52 (52 (52 (52 (52 (52 (52 (5			CONTRACTOR DESCRIPTION OF THE PERSON OF THE

Trimmed Hats

All Hats, formerly sold up to \$12.00, at	\$ 5.00 A
All Hats, formerly sold up to \$16.50, at	7.50 A
All Hats, formerly sold up to \$22.50, at	10.00 A
All Hats, formerly sold up to \$30.00, at	12.50 A

Untrimmed Hate

10.00 All Shapes, formerly sold up to \$5.00, at	5.00	All Shapes, formerly sold up to \$4.00, at	\$1.00
12.50 All Shapes, formerly sold up to \$10.00 at	10.00	All Shapes, formerly sold up to \$5.00, at	1.50
2	12.50	All Shapes, formerly sold up to \$10.00, at	3.00

and wife imposed by the first paragraph of section 2346-a, this might would be well, by a general statute, to stitution. The contention is that secwell be omitted altogether, as well as also that part of section 2346 relating to witnesses to deeds and wills.

As to the second paragraph of husband of the purpose of making an anitation, whether or not a nouseholder can ward of the present Constitution. The contention is that secsecond paragraph of section 2346 relating an anitation, whether or not a nouseholder can ward of the purpose of making an anitation, whether or not a nouseholder can ward of the present constitution. The contention is that secsecond paragraph of section 2346 relating an anitation, whether or not a nouseholder can ward of the present consecond paragraph of section 2346-a, this might would be well, by a general statute, to stitution. The contention is that secsecond paragraph of section 2346 relating an anitation, whether or not a nouseholder can ward of the present consecond paragraph of section 2346-a, this might would be well, by a general statute, to stitution. The contention is that secsecond paragraph of section 2346 relating an anitation, whether or not a nouseholder can ward of the present consecond paragraph of section 2346-a, this might would be well, by a general statute, to stitution. The contention is that secsecond paragraph of section 2346 relating any person, other than the principal, because the present can ward of the present can ward o who makes an affidavit shall be deemed

To Keep Skin Healthy, Youthful, Wrinkleless

Now that the social season is here, be especially careful to keep your skin in fine condition. You know how conspleuous complexion defects appear under the bright light of the drawing or ball-room. Also, how very evident are some makeups when similarly illuminated. I have myself discarded cosmetics entirely, using a process which gives far better results, and which leaves no trace on the skin. At night I smear on a thin coat of ordinary mercolized wax, washing it off text morning. This gradually absorbs the devitatized particles of surface skin; just as gradually the more youthful skin beneath comes forth, providing a complexion as clear, smooth and delicately tinted as a young girl's. Get an ounce of mercolized wax at your druggist's and try this remarkable treatment.

reatment.

Remember, too, that wrinkles, even the finer lines, are not easily concealed in a brilliantly lighted room. You can quickly obliterate these hateful marks by bathing your face in a solution of powdered saxolite, 1 oz., dissolved in witch hazel, 1-2 pt. And your face won't look sticky, as after using pastes.—Aunt Sally in Woman's Realm. (Advertisement.)



Dr. Hawkins and Associate

DUHE CE CREAM PURITY ICE CREAM ame Quality Every Day. Monroe 188L

for the purpose of making an affidavit, whether or not a householder can waive Better still, however, repeal section to be the agent of such principal until 3647, and substitute a section declar-the contrary is made to appear. This ing that the householder shall not be would throw the burden of proof on allowed to waive his homestead, nor shall he be allowed to claim a home-stead against debts contracted before his homestead deed was recorded, and requiring the homestead to be claimed by a deed or writing in all cases, whether the property claimed be real or personal. This would involve some changes in other sections. The general idea, however, would seem to be very superior to the waiver clause. It would require the householder to ad-vertise to the world before he contracted debts, whether or not he in tended to claim the homestead, and having so notified creditors in advatch they could not be hurt, and he could not by the waiver clause (universally in use in all written contracts) deprive his family of an exemption intended primarily for their benefit. West Vir-

AGAINST GUNMEN

Four Arrests Made in Connection With Killing of Frederick Strauss.

[Special to The Times-Dispatch.] New York, January 10.-Four gun-men were arrested to-night on the charge of homicide, in connection with the killing of Frederick Strauss on Friday night. They are Harry Gordon, twenty-six; Benjamin Fein, alias "Dopey Benny," leader of the gang known by that name; Abe Beckerman, alias "The Meal Ticket," twenty, and Rubin Kaplan, twenty-four, Edward "Bull" Morris was arrested as a ma-

Gold Crowns and Birldge Work

a Specialty.

Do you know the importance of having your teeth looked after once in a waile. Well-kept teeth is more important than fine clothes. Have your teeth looked after by competent dentists.

terial witness.

Second Deputy Police Commissioner Dougherty said that other arrests will be made within the next few hours.

"We seek primarily to bring to justice the man or men who fired the shots that killed Strauss," said Dough-

erty.
"At the same time we are going to clean up the gangsters and gunmen. When we finish our clean-up, the streats of New York will be safe to walk on at any time of the day or night, and no innocent passer-by will be in danger from bullets fired during

The arrests were the direct result of an order issued early to-day by Mayor Mitchel that "the gangs must More than a score of witnesses which he was secretary, was killed

"Plazza" squealed two months ago, "Plazza" squealed two months ago, and as a result two members of the "Dopey" Benny gang are in jail. The "Dopey Benny" gang were anxious for revenge and when it became known that Plazza was in the dance hall the rival gangsters surrounded the hall. Mr. Strauss, formerly leader of the old German Democracy in the lower part of Manhattan and for the past quarter of a century an assistant city court clerk, under Thomas F. Smith, secretary of Tammany Hall, was shot dead last night in front of Arlington Hall,

Rerby Is Renominated.

were examined, and from these the by bullets fired in a fight between mempolice learned that the cause of the bers of the Jack Sirocco gang and the fight was the appearance of Charles "Dopey Benny" gang. One bullet Piazza at the dance given by the Jack struck the old man in the right ear and another struck him behind the right

tary of Tammany Hall, was shot dead last night in front of Arlington Hall, in St. Mark's Place.

Strauss, on his way to a meeting of Strauss, on his way to a meeting of Teutonic Lodge of Odd Fellows, of by the Democrats here to-day.

TRY A LITTLE SALTS IF KIDNEYS AND BLADDER ARE TROUBLING YOU

Salts flushes Kidneys without injury; also neutralizes uric acid, ending Bladder irritation.

Kidney and Bladder weakness result from uric acid, says a noted authority. The kidneys filter this acid from the blood and pass it on to the bladder, where it often remains to irritate and inflame, causing a burning, scalding sensation, or setting up an irritation at the neck of the bladder, obliging you to seek relief two or three times during the night. The sufferer is in constant dread, the water passes sometimes with a scalding sensation and is used by thousands of folks who are subject to urinary disorders caused by uric acid irritation. Jad Salts is spendid for kidneys and causes no buil effects whatever.

Bladder weakness, most folks call it, because they can't control urination. While it is extremely annoying and ment.

Here you have a pleasant, effervescent lithia-water drink, which quickly relieves bladder trouble.—Advertise—

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Stand alone in their class. No other Pianos of their quality are sold through factory warefactory prices.

Stieff Pianos are used at the greatest music conservatories and colleges. You might as well have the best for your girl or boy-especially as it costs no more.

Easy terms if you wish.

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At no other place can you have such a large and complete stock of Exquisite Jewelry from which to select. Everything of fine quality. We will be glad to show you.



AN OUNCE OF PREVENTION IS WORTH A POUND OF CURE

Get your FLY SCREENS IN before the flies get IN. It is easy to keep them out, but hard to get them out.

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